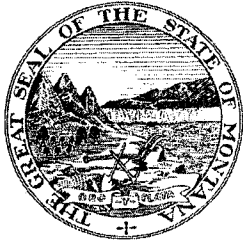


DEPARTMENT OF  
PUBLIC HEALTH AND HUMAN SERVICES



Brian Schweitzer  
GOVERNOR

Anna Whiting Sorrell  
DIRECTOR

STATE OF MONTANA

www.dphhs.mt.gov

PO BOX 4210  
HELENA, MT 59604-4210  
(406) 444-5622  
FAX (406) 444-1970

Date: February 18, 2011

To: Members of the House Business and Labor Committee

From: Department of Public Health and Human Services on behalf of the Food Safety Advisory Council

Re: HB 443 Revise laws related to intrastate production, processing, consumption of food

In order to comply with statutory requirements, the Department has formed a Food Safety Advisory Council as outlined in MCA 50-50-103. The statute states: *The department shall establish a food safety task force or advisory council to assist in the development of administrative rules and/or review any proposed legislation related to the provision of food or food establishments.*

In addition, the statute states: *When the department learns of proposed legislation related to the provisions of this chapter that has not been proposed by the department, the department shall provide copies of that legislation for review by the task force or advisory council and shall provide to the legislature any comments of the task force or advisory council.*

**Results of Polling the Council:** As of this hearing, DPHHS has received responses from four of the six Council members with the four opposing the bill as written.

**Comments of the Council:** The comments from the Council were limited to the proposed changes to the definition of 'Nonprofit organization' in 50-50-102 (11). The proposed change to this definition is unnecessary and creates confusion. In addition, HB191 proposes changes to the definition that offers a clarification that is needed.